

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/674/2025

K AND K MINERALS PVT. LTD.
VS
RITES LTD AND ORS.

BEFORE:
The Hon'ble JUSTICE GAURANG KANTH
Date : 15th June, 2026.

Appearance
Mr. Anal Kumar Ghosh, Adv.
Ms. Neelina Chatterjee, Adv.
Ms. Nilanjana Adhya, Adv.
Ms. Ahana Bhattacharyya, Adv.
...for petitioner

Mr. Supriyo Gole, Adv.
Mr. Aishwarya Kumar Awasthi, Adv.
...for respondent no.1

Mr. Deepan Sarkar, Adv.
Mr. Prasun Mukherjee, Adv.
Mr. Deepak Agarwal, Adv.
...for DVC

The Court: The petitioner has preferred the present petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of a Arbitral Tribunal to adjudicate the disputes between the parties.

Learned Counsel for the petitioner states that in terms of Clause 25 of the GCC, a sole Arbitrator can be constituted as the arbitral tribunal to adjudicate the disputes between the parties. The parties admit the existence of the Arbitration Clause. Both the parties consent to the appointment of a learned sole Arbitrator. The parties have jointly suggested the name of Hon'ble Justice Tapan Kumar Dutt (Retired), (Mobile No. 9831066037) as the learned Sole Arbitrator to adjudicate the disputes between the parties.

In view thereof, this Court appoints Mr. Tapan Kumar Dutt (Mobile No. 9831066037) as the learned Sole Arbitrator to adjudicate the disputes between the parties.

The learned Sole Arbitrator shall be entitled to fix his remuneration in accordance with the Fourth Schedule to the Arbitration and Conciliation Act, 1996, unless otherwise agreed by the parties.

The learned Arbitrator shall, prior to entering upon the reference, make the necessary disclosure in terms of Section 12(5) of the Act.

All the issues pertaining to the arbitrability, admissibility, limitation, any claim between the parties, jurisdiction or any other issues shall remain open to be adjudicated by the learned sole Arbitrator.

The Petitioner shall communicate a copy of this order to the learned Sole Arbitrator forthwith for necessary action.

With the aforesaid directions, the present petition stands disposed of.

(GAURANG KANTH, J.)

S. Mandi
AR(CR)